



FEDERAL ELECTION COMMISSION
Washington, DC 20463

May 9, 2000

Mr. Martin Ganzglass
O'Donnell, Schwartz & Anderson, P.C.
1900 L Street, N.W., Suite 707
Washington, D.C. 20036

RE: MUR 4990
Graphic Communications International
Union Political Contributions Committee
Gerald Deneau, as Treasurer

Dear Mr. Ganzglass:

On April 25, 2000, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on your client's behalf in settlement of violations of 2 U.S.C. § 434(a)(4)(A)(i), (ii) and (iii), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). Accordingly, the file has been closed in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

Information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

Enclosed you will find a copy of the fully executed conciliation agreement for your files. Please note that the civil penalty is due within 30 days of the conciliation agreement's effective date. If you have any questions, please contact me at (202) 694-1650.

Sincerely,

A handwritten signature in cursive script, reading "Erica H. McMahon", is written above the typed name.

Erica H. McMahon
Attorney

Enclosure
Conciliation Agreement

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 4990
Graphic Communications International)
Union Political Contributions Committee)
and Gerald Deneau, as treasurer)

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FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
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CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that Graphic Communications International Union Political Contributions Committee and Gerald Deneau, as treasurer ("Respondents"), violated 2 U.S.C. § 434(a)(4)(A)(i), (ii) and (iii).

NOW, THEREFORE, the Commission and the Respondents, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondents enter voluntarily into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

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1. Graphic Communications International Union Political Contributions Committee is a political committee within the meaning of 2 U.S.C. § 431(4).

2. Gerald Deneau is the treasurer of Graphic Communications International Union Political Contributions Committee.

3. The Federal Election Campaign Act of 1971, as amended ("the Act"), requires treasurers of political committees, other than authorized committees of a candidate, to file periodic reports of receipts and disbursements. 2 U.S.C. § 434(a)(1). Such committees may choose to file reports either on a monthly or a quarterly basis. 2 U.S.C. § 434(a)(4).

4. In a calendar year in which a regularly scheduled general election is held, committees that choose to file on a quarterly basis shall file quarterly reports no later than the 15th day after the last day of each calendar quarter: except that the report for the quarter ending on December 31 of such calendar year shall be filed no later than January 31 of the following calendar year. 2 U.S.C. § 434(a)(4)(A)(i).

5. The Act requires such political committees to file a pre-election report, which shall be filed no later than the 12th day before (or posted by registered or certified mail no later than the 15th day before) any election in which the committee makes a contribution to or expenditure on behalf of a candidate in such election, and which shall be complete as of the 20th day before the election. 2 U.S.C. § 434(a)(4)(A)(ii).

6. The Act requires such political committees to file a post-general election report, which shall be filed no later than the 30th day after the general election and which shall be complete as of the 20th day after such general election. 2 U.S.C. § 434(a)(4)(A)(iii).

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7. Respondents were required to file the 1998 April Quarterly Report of Receipts and Disbursements no later than April 15, 1998. The 1998 April Quarterly Report which disclosed \$25,409.00 in receipts and \$3,825.00 in disbursements was not filed until April 30, 1998, fifteen (15) days late.

8. Respondents were required to file the 1998 October Quarterly Report no later than October 15, 1998. The 1998 October Quarterly Report which disclosed \$2,722.00 in receipts and \$8,400.00 in disbursements, was not filed until November 1, 1998, seventeen (17) days late.

9. Respondents made \$2,800.00 in contributions to federal candidates on October 5, 1998 and were therefore required to file the 1998, 12 Day Pre-General Report no later than October 22, 1998. The Committee filed a 30 Day Post-General Report on December 21, 1998, disclosing \$400.00 in receipts and \$2,800.00 in disbursements for the Pre-General reporting period. Although the Committee eventually disclosed this activity on its 30 Day Post-General Report, it did so sixty (60) days late.

10. Respondents were required to file the 1998, 30 Day Post-General Report no later than December 3, 1998. The 1998, 30 Day Post-General Report which disclosed \$1,596.00 in receipts and \$10,700.00 in disbursements, was not filed until December 21, 1998, eighteen (18) days late.

11. Respondents were required to file the 1998 Year-End Report no later than January 31, 1999. The 1998 Year-End Report, which disclosed \$1,696.00 in receipts and \$0.00 in disbursements, was not filed until February 11, 1999, eleven (11) days late.

12. Respondents represent that the failure to file the required Reports on a timely basis was inadvertent and unintentional and was due to a breakdown both in supervision and allocation of work of an employee who was absent for extended periods of time for medical reasons. Respondents further represent that they have taken the appropriate corrective steps to ensure that this type of error does not occur in the future.

V. Respondents failed to file timely their 1998 April Quarterly Report; 1998 October Quarterly Report; 1998, 12 Day Pre-Election Report; 1998, 30 Day Post-General Election Report; and 1998 Year-End Report, in violation of 2 U.S.C. § 434(a)(4)(A)(i), (ii) and (iii).

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of Twenty-Eight Hundred Dollars (\$2,800.00), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

VIII. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

IX. Respondents shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

Lawrence M. Noble
General Counsel

BY:

Lois G. Lerner
Lois G. Lerner
Associate General Counsel

5/8/00
Date

FOR THE RESPONDENTS:

Gerald Deneau
(Name)
(Position)

April 13, 2000
Date

Gerald Deneau
Sec.

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